IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41494 of 2008

1. GEETA DEVI
2. RABITA DEVI @ BABITA DEVI
3. LAKHAN BHAGAT
4. MITHILESH BHAGAT

…….PETITIONERS

Versus

STATE OF BIHAR …….OPPOSITE PARTY

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2. 21.10.2008. Heard both the sides.

Petitioners apprehend their arrest in a case under Section 304(B)/34 of Indian Penal Code.

It is submitted that the entire case is false and baseless. Victim died as a result of excessive bleeding but the father of the victim has filed this case in order to extort money.

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It is further submitted that two accused persons faced the trial vide Sessions Trial No. 52 of 2007 and have been acquitted vide judgment dated 31.3.2008(Annexur-4)

It is further submitted that in course of the trial, none of the witnesses supported the prosecution case. Even, the informant has not supported the prosecution story.

Thus, having regard to the facts and circumstances of the case, in case of arrest or surrender before the Court below within six weeks from the date of receipt of this order, petitioners namely, Geeta Devi, Rabita Devi @ Babita Devi, Lakhan Bhagat and Mithilesh Bhagat are directed to be released on bail on their furnishing bail bond of Rs.10,000/- (ten

thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Atri P. S. Case No. 5 of 2006, subject to the conditions as laid down under Section 438(2) Cr.P.C.

kanchan **(Ghanshyam Prasad, J.)**

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